

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

HOOPA VALLEY TRIBE,)	Civ. No. 1:20-cv-1814-JLT-EPG
)	
Plaintiff,)	
)	[PROPOSED] ORDER GRANTING
v.)	PLAINTIFF HOOPA VALLEY
)	TRIBE'S MOTION FOR
UNITED STATES BUREAU OF)	PRELIMINARY INJUNCTION
RECLAMATION; DEBRA ANNE HAALAND,)	
in her official capacity as Secretary of the)	
Interior; MARIA CAMILLE CALIMLIM)	
TOUTON, in her official capacity as)	
Commissioner of the United States Bureau of)	
Reclamation; ERNEST A. CONANT, in his)	
official capacity as United States Bureau of)	
Reclamation California-Great Basin Regional)	
Director; and UNITED STATES)	
DEPARTMENT OF THE INTERIOR)	
)	
Defendants.)	

1 The Court has fully considered all briefs and evidence filed in support and in opposition
2 to the Motion for Preliminary Injunction. The Court finds that: (a) Plaintiff will likely succeed
3 on the merits of its Second Claim for Relief in its Second Amended and Supplemental Complaint
4 (Dkt. #142) that Defendants failed to comply with NEPA in their approval of the Trinity River
5 Winter Flow Variability Project; (b) implementation of the Trinity River Winter Flow Variability
6 Project will result in irreparable harm to the Trinity River and its fishery below Lewiston Dam
7 and accordingly to Plaintiff Hoopa Valley Tribe; (c) the balance of hardships favors injunctive
8 relief; and (d) an injunction is in the public interest.

9 Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion for Preliminary
10 Injunction is hereby GRANTED, and the Court HEREBY RESTRAINS AND ENJOINS
11 Defendants, and their officers, agents, employees, and any other parties, persons, or entities who
12 are in active concert or participation with them, from any implementation of the Trinity River
13 Winter Flow Variability Project.

14 This Preliminary Injunction shall take effect immediately. The requirement for bond or
15 security is waived.

16 Dated this _____ day of March, 2023.

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19 _____
20 Honorable Jennifer L. Thurston
21 U.S. District Judge
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